

**THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO *et al.*,

Debtors.<sup>1</sup>

PROMESA Title III

Case No. 17 BK 3283-LTS

(Jointly Administered)

**INFORMATIVE MOTION OF ASSURED GUARANTY  
CORP. AND ASSURED GUARANTY MUNICIPAL CORP.  
REGARDING THE FEBRUARY 1-2, 2023 OMNIBUS HEARING**

To the Honorable United States District Court Judge Laura Taylor Swain:

Assured Guaranty Corp. and Assured Guaranty Municipal Corp. (together, “Assured”) hereby submit this Informative Motion in compliance with the *Order Regarding Procedures for February 1-2, 2023, Omnibus Hearing* (the “Hearing Procedures Order,” ECF No. 23253)<sup>2</sup> and respectfully state as follows:

1. Mark C. Ellenberg ([mark.ellenberg@cwt.com](mailto:mark.ellenberg@cwt.com)) and/or William J. Natbony ([bill.natbony@cwt.com](mailto:bill.natbony@cwt.com)) and/or Thomas J. Curtin ([thomas.curtin@cwt.com](mailto:thomas.curtin@cwt.com)) of Cadwalader,

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<sup>1</sup> The Debtors in these Title III cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s Federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (“Commonwealth”) (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); and (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17 BK 04780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

<sup>2</sup> “ECF No.” refers to documents filed in Case No. 17-BK-3283-LTS, unless otherwise noted.

Wickersham & Taft LLP will appear in-person at the San Juan Courthouse<sup>3</sup> and reserve the right to be heard on behalf of Assured at the February 1-2, 2023, Omnibus Hearing.

2. Mr. Ellenberg and/or Mr. Natbony and/or Mr. Curtin reserve the right to be heard on any matter raised by any party at the February 1-2, 2023 Omnibus Hearing as concerns Assured related to the Title III Cases or the interests of Assured.

3. Mr. Ellenberg intends to present oral argument on behalf of Assured at the February 1, 2023 Oral Arguments related to the Summary Judgment Motions<sup>4</sup> and related briefing in *Fin. Oversight & Mgmt. Bd. for Puerto Rico v. U.S. Bank NA, as Trustee*, Adv. Pro. No. 19-391-LTS.

4. The required Party Appearance Sheet accompanies this Informative Motion as Exhibit A.

*[Remainder of Page Intentionally Omitted]*

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<sup>3</sup> Capitalized terms used in this Informative Motion but not defined herein shall have the meanings ascribed to them in the Hearing Procedures Order.

<sup>4</sup> See *Order Regarding Oral Argument on Motions for Summary Judgment* [ECF No. 119 in Case No. 19-00391-LTS]. Time allocations and order of speakers for oral argument on the Motions will be outlined in the Agenda to be submitted by Debtors' counsel in accordance with Paragraph 7 of the Hearing Procedures Order.

Dated: January 25, 2023  
New York, New York

**CASELLAS ALCOVER & BURGOS P.S.C.**

By: /s/ Heriberto Burgos Pérez

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*Counsel for Assured Guaranty Corp. and Assured  
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**CADWALADER, WICKERSHAM &  
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By: /s/ Howard R. Hawkins, Jr.

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*Counsel for Assured Guaranty Corp. and  
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**CERTIFICATE OF SERVICE**

I hereby certify that I filed this document electronically with the Clerk of the Court using the CM/ECF System, which will send notification of such filing to all parties of record in the captioned case.

At New York, New York, the 25<sup>th</sup> day of January, 2023.

By: /s/ Howard R. Hawkins, Jr.  
Howard R. Hawkins, Jr.\*  
\* Admitted pro hac vice